

Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form

DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, OFFICE OF JUVENILE JUSTICE
AND DELINQUENCY PREVENTION

(1) FEDERAL ADVISORY COMMITTEE NAME

State the legal name of the FAC

Federal Advisory Committee on Juvenile Justice

(2) AUTHORITY

Identify the authority for establishing the FAC

The Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. § 5601 et seq., (the "Act"), provides, at § 5633(f), that the Administrator (the "Administrator") of the Office of Juvenile Justice and Delinquency Prevention ("Office") shall provide support to an eligible organization composed of member representatives of the state advisory groups to assist such organization in carrying out its functions, which include the provision of advice to the President, the Congress, and the Administrator, under the terms set forth in 42 U.S.C. § 5633(f)(2)(C)–(E).

The FACJJ charter is being renewed pursuant to the authority provided at 5 U.S.C. App. 2, § 14, as amended, the Federal Advisory Committee Act (FACA) and 41 C.F.R. § 102-3.50(c).

(3) MISSION/FUNCTION

Describe the mission/function of the FAC

The purpose of the FACJJ is to review Federal policies regarding juvenile justice and delinquency prevention; advise the Administrator with respect to particular functions or aspects of the work of the Office; advise the President and Congress with regard to the operation of the Office and federal legislation pertaining to juvenile justice and delinquency prevention; and to provide advice on any other matters as requested by the Office. The Act provides at §5614(b)(1) that the Administrator shall advise the President through the Attorney General as to all matters relating to federally assisted juvenile delinquency programs and Federal policies regarding juvenile delinquency. As directed by the Office, the FACJJ shall analyze, review and examine work products, legislation, research, fiscal and technical support, policies, regulations, practices and/or operations of the Office to better provide advice to the President, Congress and the Office as these pertain to and affect juvenile justice and delinquency prevention throughout the Nation.

(4) POINTS OF VIEW

Based on understanding the purpose of the FAC,

- (a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;*
- (b) consider indentifying an anticipated relative distribution of candidates across the categories; and*
- (c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members*

The FACJJ will be composed of no more than 56 members representatives of the State Advisory Groups appointed under 42 USC § 5633(a)(3). No member may serve more than two two-year terms (four years total) on the FACJJ (including any successor advisory committee formed pursuant to Title II of the Act), except as specified in the By-Laws of the FACJJ.

FACJJ members are selected from among eligible applicants based on a variety of factors including diversity of geography, gender, race, culture, experience and system or agency sector. Members will represent all state advisory groups (SAGs) with geographical distribution as follows: Group A –Large Population States South/Hispanic, Group B – Large Population States North, Group C – Large Population States Atlantic, Group D – Northwest/Indigenous Peoples, Group E – Southwest,

Group I – North Central, Group J – New England/Rural, Group K –Small Population States, Group L – Pacific Territories, Youth, and Tribal.

(5) OTHER BALANCE FACTORS

List any other factors your agency identifies as important in achieving a balanced FAC

See above #4 referencing the establishment and membership of the FACJJ

(6) CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:

- (a) describe the process*
- (b) identify the agency key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by the agency; and*
- (d) state the membership term limit of FAC members, if applicable*

A) See above #4 referencing the establishment and membership of the FACJJ.

b) Administrator, OJJDP; Designated Federal Official, OJJDP;

c) In the event of a member vacancy caused by resignation, dismissal, incapacity, death, or otherwise, the alternate will assume the role of the primary for the duration of the term. OJJDP may then invite eligible State Advisory Group members to apply to serve as the alternate member. Upon acceptance of an application by the Administrator, the new alternate will serve for the remainder of the vacated term.

If the remainder of the former incumbent's term exceeds one year from the date of removal, the nominee may serve an additional term beyond the expiration of the former incumbent's term. If the duration of the former incumbent's term is one year or less from the date of removal, the nominee may serve two additional full terms beyond the expiration of the former incumbent's term, consistent with Section 1.

d) Members are limited to two two-year terms except as specified in the By Laws of the FACJJ.

(7) SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

The creation and operation of subcommittees must be approved by the Administrator and/or the DFO, who serves as the agent of OJJDP. FACJJ members and non-members may serve on subcommittees. Each subcommittee shall select a chair from among its membership, who shall represent the position of the subcommittee at meetings of the full Committee and help facilitate the work of the subcommittee. Subcommittees must report back to the parent committee and must not provide advice or work products directly to the agency.

(8) OTHER

Provide any additional information that supports the balance of the FAC

NA

(9) DATE PREPARED/UPDATED

Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated

Prepared September 2016

JJDP Act Related to the FACJJ

42 U.S.C. 5614 [Sec. 204.] Concentration of Federal efforts

(a) Implementation of policy by Administrator; consultation with Council and Advisory Committee

(1) The Administrator shall develop objectives, priorities, and a long-term plan, and implement overall policy and a strategy to carry out such plan, for all Federal juvenile delinquency programs and activities relating to prevention, diversion, training, treatment, rehabilitation, evaluation, research, and improvement of the juvenile justice system in the United States. In carrying out the functions of the Administrator, the Administrator shall consult with the Council.

(2) (A) The plan described in paragraph (1) shall—

(i) contain specific goals and criteria for making grants and contracts, for conducting research, and for carrying out other activities under this subchapter; and

(ii) provide for coordinating the administration programs and activities under this subchapter with the administration of all other Federal juvenile delinquency programs and activities, including proposals for joint funding to be coordinated by the Administrator.

(B) The Administrator shall review the plan described in paragraph (1) annually, revise the plan as the Administrator considers appropriate, and publish the plan in the Federal Register—

(i) not later than 240 days after November 4, 1992, in the case of the initial plan required by paragraph (1); and

(ii) except as provided in clause (i), in the 30-day period ending on October 1 of each year.

(b) Duties of Administrator

In carrying out the purposes of this chapter, the Administrator shall—

(1) advise the President through the Attorney General as to all matters relating to federally assisted juvenile delinquency programs and Federal policies regarding juvenile delinquency;

(2) assist operating agencies which have direct responsibilities for the prevention and treatment of juvenile delinquency in the development and promulgation of

regulations, guidelines, requirements, criteria, standards, procedures, and budget requests in accordance with the policies, priorities, and objectives the Administrator establishes;

- (3) conduct and support evaluations and studies of the performance and results achieved by Federal juvenile delinquency programs and activities; and
- (4) implement Federal juvenile delinquency programs and activities among Federal departments and agencies and between Federal juvenile delinquency programs and activities and other Federal programs and activities which the Administrator determines may have an important bearing on the success of the entire Federal juvenile delinquency effort;
- (4) (A) develop for each fiscal year, and publish annually in the Federal Register for public comment, a proposed comprehensive plan describing the particular activities which the Administrator intends to carry out under parts D and E of this subchapter in such fiscal year, specifying in detail those activities designed to satisfy the requirements of parts D and E of this subchapter; and
- (5) (B) taking into consideration comments received during the 45-day period beginning on the date the proposed plan is published, develop and publish a final plan, before December 31 of such fiscal year, describing the particular activities which the Administrator intends to carry out under parts D and E of this subchapter in such fiscal year, specifying in detail those activities designed to satisfy the requirements of parts D and E of this subchapter;
- (6) provide for the auditing of monitoring systems required under section 5633(a)(15) of this title to review the adequacy of such systems; and
- (7) not later than 1 year after the date of the enactment of this paragraph, issue model standards for providing health care to incarcerated juveniles.

(c) Information, reports, studies, and surveys from other agencies

The Administrator may require, through appropriate authority, Federal departments and agencies engaged in any activity involving any Federal juvenile delinquency program to provide the Administrator with such information as may be appropriate to prevent the duplication of efforts, and to coordinate activities, related to the prevention of juvenile delinquency.

(d) Delegation of functions

The Administrator shall have the sole authority to delegate any of the functions of the Administrator under this Act.

(e) Utilization of services and facilities of other agencies; reimbursement

The Administrator is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement as may be agreed upon.

(f) coordination of functions of Administrator and Secretary of Health and Human Services

All functions of the Administrator under this subchapter shall be coordinated as appropriate with the functions of the Secretary of Health and Human Services under subchapter III of this chapter.